

UNITED STATES DISTRICT COURT
for the
District of Nebraska

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 26, 2024 in the county of Douglas in the
District of Nebraska, the defendant(s) violated:

Code Section

Offense Description

This criminal complaint is based on these facts:

See attached affidavit

Continued on the attached sheet.

Sworn to before me and signed in my presence.

Sworn to before me by telephone or other reliable electronic means.

Date: 01/26/2025

City and state: Omaha, Nebraska

Ryan C. Carson, US Magistrate Judge

Printed name and title

Complainant's signature

Craig Allrich, S/A ICE HSI

Printed name and title



Judge's signature

Ryan C. Carson, US Magistrate Judge

Affidavit for complaint

I, Craig A Allrich, a Special Agent employed by U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), being duly sworn, depose and state as follows:

1. I am a Special Agent (SA) with the Immigration and Customs Enforcement (ICE),

Homeland Security Investigations (HSI). I have received formal training at the Federal Law Enforcement Training Center (FLETC) and elsewhere in criminal investigation techniques and procedures. I have been an ICE SA since 2009 and am responsible for conducting criminal investigations of the criminal statutes contained in the Immigration and Nationality Act as well as other related offenses contained in Title 8 and 18 of the United States Code, including violations of 8 USC 1326-Illegal Reentry of Removed Aliens.

2. On or about August 31, 2011, Luis TOSCANO-Perez, an alien from Mexico, was removed from the United States through a Point of Entry at or near Eloy, Arizona, pursuant to an order of removal through a Point of Entry at or near Eloy, Arizona, pursuant to an order of removal issued by an Immigration Judge on or about August 31, 2011. On or about May 4, 2014, October, 2014, April 7, 2015, and April 17, 2015, TOSCANO-Perez was again removed from the United States.

3. On December 26, 2024, TOSCANO-Perez was arrested by the Omaha Police Department in Omaha, Nebraska pursuant to an arrest warrant for Assault by Strangulation under the name of "Luis Toscano." TOSCANO-Perez was released with ankle monitoring on pretrial release. Based on ankle monitoring records, since that time TOSCANO-Perez remained in the greater Omaha area, including at his residence in the Southern District of Iowa

4. On January 26, 2025, DHS databases and indices were searched and there is no record of TOSCANO-Perez having ever applied for permission to legally re-enter the United

States. Permission to Reapply For Admission into the United States After Deportation or Removal, has not been filed by TOSCANO-Perez.

5. Title 8, United States Code, Section 1326(a) states an alien who has been removed or deported, and thereafter enters or is at any time found in the United States without first obtaining the express consent of the Attorney General or his successor, the Secretary of the Department of Homeland Security, to reapply for admission, shall be guilty of a felony.

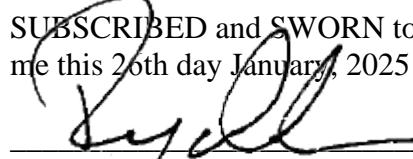
6. Your Affiant believes there exists probable cause, based upon the above information, that Luis TOSCANO-Perez has violated Title 8, USC, Section 1326(a), because he is an alien who was found in the United States after having been removed.

Affiant states that all statements contained in this affidavit are true and correct to the best of his knowledge.



Craig Allrich
Special Agent, ICE HSI

SUBSCRIBED and SWORN to before
me this 26th day January, 2025



Ryan C. Carson
United States Magistrate Judge